

Remarks

Claims 1-3, 8 and 10-13 are pending in the present application. Previously, as reported in the Office Action of February 5, 2002 and the Office Communication of May 29, 1993, pending claims 1-3, 8 and 10-13 were found to be allowable by the Examiner but their prosecution was suspended for 6 months. Now, the suspension of the pending claims has been withdrawn to introduce a purportedly "new" ground of rejection under 35 USC 103(a).

No new matter has been added by this amendment.

Rejection of Claims 1-3, 8 and 10-13 Under 35 USC 103(a)

The Examiner has rejected all pending claims under the purportedly "new ground" of being prima facie obvious, under 35 USC 103(a), in view of Dawson (First Meeting of the WHO Alliance for the Global Elimination of Trachoma, Geneva, 30 June - 1 July 1997 (hereinafter "Dawson")).

Contrary to the Examiner's statement, this rejection is not a new ground for rejection and Dawson is not a valid prior art reference.

Specifically, in the Office Action of November 17, 2000, the Examiner rejected Claims 1-6 and 8-9 as being obvious over Dawson.

In the Response thereto, filed November 12, 2001, under Rule 114 concurrent with the filing of a Request for Continued Examination, Applicant antedated Dawson, and removed Dawson as a reference against this Application, by virtue of the concurrently filed Declaration Under Rule 131 by the inventor Imran Ahmed.

Subsequently, in the following Office Action of February 5, 2002, the Examiner did not maintain any rejection of the pending claims in view of Dawson.

Therefore, Dawson is not a valid reference against the present Application and the pending claims are not obvious in view of Dawson.

Conclusion

In view of the above, Applicant respectfully submits that the Examiner's rejection, under 35 USC 103(a) of pending Claims 1-3, 8 and 10-13 is not proper. Therefore, Applicants respectfully request that this rejection of Claims 1-3, 8 and 10-13 be withdrawn. Applicants further request that a notice of allowance be issued for pending Claims 1-3, 8 and 10-13.

Respectfully Submitted:

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